



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of: Bischofberger et al.

Serial No.: 09/801,164

Group No.: 1653

Filed: March 7, 2001

Examiner: D. Lukton

For: Nucleotide Analogs

Attorney Docket No. 172.2USDC2
BEST AVAILABLE PATENT

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JAN 15 2002
TECH CENTER 1600/2600

Assistant Commissioner for Patents
Washington, D.C. 20231

AMENDMENT TRANSMITTAL

1. Transmitted herewith is an amendment for this application.

STATUS

2. Applicant is

☐ a small entity - verified statement:

☐ attached.

☐ already filed.

☒ other than a small entity.

CERTIFICATE OF MAILING (37 CFR 1.8 (a))

I hereby certify that this paper (along with any paper referred to as being attached or enclosed) is being deposited with the United States Postal Service on the date shown below with sufficient postage as first class mail in an envelope addressed to the: Assistant Commissioner for Patents, Washington, D.C. 20231.

Robin Torres

(Type or print name of person mailing paper)

Date: November 30, 2001

Robin Torres

(Signature of person mailing paper)

01/11/2002 SDUONG 00000005 071250 09801164

01 FC:118

1440.00 CH

EXTENSION OF TERM

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3. The proceedings herein are for a patent application and the provisions of 37 CFR 1.136 apply

- (a) ☒ Applicant petitions for an extension of time under 37 CFR 1.136 (fees: 37 CFR 1.17 (a)-(d)) for the total number of months checked below:

	Extension (months)	Fee for other than small entity	Fee for small entity
<input type="checkbox"/>	one month	\$110.00	\$55.00
<input type="checkbox"/>	two months	\$400.00	\$200.00
<input type="checkbox"/>	three months	\$920.00	\$460.00
<input checked="" type="checkbox"/>	four months	\$1,440.00	\$720.00

Fee \$ 1,440.00

If an additional extension of time is required please consider this a petition therefor.

- ☐ An extension for _____ months has already been secured and the fee paid therefor of \$ _____ is deducted from the total fee due for the total months of extension now requested.

Extension fee due with this request \$ _____

OR

- (b) ☐ Applicant believes that no extension of term is required. However, this conditional petition is being made to provide for the possibility that applicant has inadvertently overlooked the need for a petition for extension of time.

FEE FOR CLAIMS

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4. The fee for claims (37 CFR 1.16(b)-(d)) has been calculated as shown below:

4. This fee for claims (3) of A.P.C. (5) (6), has been calculated as shown below:

	(Col. 1)		(Col. 2)	(Col. 3)	SMALL ENTITY		OTHER THAN A SMALL ENTITY		
	CLAIMS REMAINING AFTER AMENDMENT		HIGHEST NO. PREVIOUSLY PAID FOR	PRESENT EXTRA	RATE	ADDIT. FEE	OR	RATE	ADDIT. FEE
TOTAL *	1	MINUS **	20	= 0	X 9 = \$			X18=	\$ 0
INDEP. *	1	MINUS **	3	= 0	X42= \$			X84=	\$ 0
<input type="checkbox"/>	FIRST PRESENTATION OF MULTIPLE DEP. CLAIM				+140= \$			+280=	\$

TOTAL
ADDIT. FEE \$

OR TOTAL
ADDIT.
FEE \$ 0

(c) ☒ No additional fee for claims is required.

OR

(d) ☐ Total additional fee for claims required \$ _____

FEE PAYMENT

5. ☐ Attached is a check in the sum of \$ _____

☒ Charge Account No. 07-1250 the sum of \$ 1,440.00

A duplicate of this request is attached.

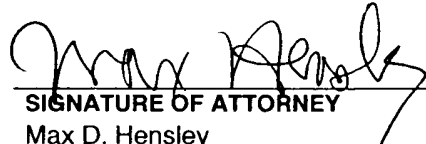
FEE DEFICIENCY

6. Authorization to Charge Additional Fees

☒ The Commissioner is hereby authorized by this document to charge any additional fees which may be required by this paper and during the entire pendency of this application to Account No. 07-1250, except the issue fee at or before mailing of Notice of Allowance, pursuant to 37 CFR 1.311 (b).

Reg. No. 27,043

Tel. No.: (650) 522-5878


 SIGNATURE OF ATTORNEY
 Max D. Hensley
 Type or print name of attorney
 Gilead Sciences, Inc.
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PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re PATENT APPLICATION of

Bischofberger et al.

Serial No: 09/801,164

Filed: March 7, 2001

Title: NUCLEOTIDE ANALOGS

) Group Art Unit: 1653
)
) Atty. Docket No. 172.2USDC2
)
) Examiner: D. Lukton
)
)
)
)

RESPONSE

Assistant Commissioner for Patents
Washington, D.C. 20231

Dear Sir:

This is responsive to the Patent and Trademark Office action mailed July 5, 2001. A request for a four month extension of time accompanies this response, whereby the time for reply is extended until December 5, 2001.

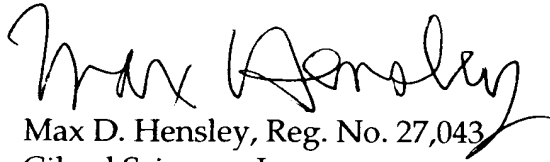
Applicants were required to elect a species. Applicants elect the compound of formula 2 in which R is phenyl, R34 is H, and B is cytosinyl.



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An early action on the merits is solicited.

Respectfully submitted,



Max D. Hensley, Reg. No. 27,043

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